

REMARKS

Prior to entry of this amendment, Claims 1-27 are pending in this application. It is gratefully acknowledged that the Examiner has found allowable subject matter in Claim 4.

Please cancel Claims 9, 13, 16, 19, 23 and 26, without prejudice. Please amend Claims 1, 2, 5, 6, 8, 10, 12, 14, 15, 17, 18, 20, 22, 24, 25 and 27 as set forth herein. Please add new Claims 36 and 37. No new matter has been added.

In the Office Action, the Examiner has rejected Claims 1-3 and 5-27 under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (*AAPA*) in view of *Heikkinen et al.* (WO 95/32558) and further in view of *Lamoureux et al.* (U.S. 6,330,458). Additionally, the Examiner has objected to Claims 1, 5, 8, and 18.

Further, the Examiner has stated that Applicants have not filed certified copies of Korean Application Nos. 2000/59389 and 2000/67558 as is required by 35 U.S.C. 119. However, as indicated in the Electronic File History and the Image File Wrapper at the U.S. Patent and Trademark Office, these items were filed on October 23, 2002 and received on January 22, 2002. A copy of the returned postcard stamped received January 22, 2002 is attached hereto. In addition, and to ensure proper receipt of the same, Korean Application Nos. 2000/59389 and 2000/67558 were re-filed on December 13, 2005 and received at the Patent and Trademark Office on December 22, 2005. A copy of the return postcard, stamped received on December 22, 2005, is attached hereto.

Additionally, the Examiner has not considered the Chinese Patents CN 1248869 A and CN 1247439 A, which were submitted in an IDS on April 19, 2004, because these patents did not include an English Abstract. Accordingly, the Examiner has placed these items in the folder. Enclosed herewith are copies of the Chinese Patents CN 1248869 A and CN 1247439 A, including English language Abstracts. In addition, copies of the corresponding English language European Patent Applications, EPO 0986192 and EPO 963060, are provided herewith. Consideration of the references is respectfully requested.

With regard to the rejections of independent Claims 1, 5, 8, and 18 under 35 U.S.C. §103(a) as being unpatentable over the *AAPA* in view of *Heikkinen*, and further in view of *Lamoureux*, the Examiner asserts that the *AAPA*, i.e., pages 1-10 and FIGs. 1-10, teaches all the recitations found in these claims (more specifically, the preambles and a power amplifier), except for generating a switching control signal and switching the amplified signal between multiple antennas, which the Examiner asserts is taught in *Heikkinen*, and generating the switching control signal during a guard interval, which the Examiner asserts is taught in *Lamoureux*.

Independent Claims 1, 5, 8, and 18 have been amended herein to include the recitation of “wherein the non-transmission period is a guard period in each time slot for dividing among the time slots of a frame associated with the radio signal, a guard period in each sub-frame for dividing among the sub-frames associated with the frame, or a guard period for dividing between uplink time slot and downlink time slot in the sub-frame”. Based on at least the foregoing withdrawal of the rejections of independent Claims 1, 5, 8, and 18 is respectfully requested.

Independent Claims 1, 5, 8 and 18 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 3, 6, 7, 10-12, 14, 15, 17, 20-22, 24, 25, 27, 36 and 37, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 3, 6, 7, 10-12, 14, 15, 17, 20-22, 24, 25, 27, 36 and 37 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-8, 10-12, 14, 15, 17, 18, 20-22, 24, 25, 27, 36 and 37, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the typed name.

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THE U.S PATENT AND TRADEMARK OFFICE DATE STAMP
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1. Transmittal of Priority Document w/Cert. of mailing
2. Certified Copies of Korean Patent Application Nos.
2000/59389 and 2000/67558
3. Return Postcard

All submitted under Certificate of Mailing 37 C.F.R §1.8(a)
dated October 23, 2001

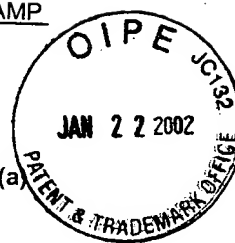
Applicant(s): Hyun-Woo LEE, et al.
Serial No. Not yet assigned
Filed: October 5, 2001
For: **TSTD APPARATUS AND METHOD FOR A
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